

OPEN SESSION

(Ernie Mayerfeld)

Q: If S. 1324 is enacted, what files would the DCI designate? Please provide a list of files which would and would not be designated in each of the Directorate of Operations, the Directorate of Science and Technology and the Office of Security?

A: The DCI would designate operational files which fall within the four subject matter categories specified on pages 5 and 6 of the Bill. In essence, these kinds of files deal with the intelligence process as opposed to the intelligence product. The Bill is designed to eliminate files containing detailed operational information from search and review, while leaving the intelligence product subject to access under the FOIA. A specific indication of the kinds of files which would and would not be designated is as follows:

--The designated files in the DO would be all records in the DO's System 49 as reported in the Federal Register. Files which would not be designated would be those consisting of disseminated intelligence reports which, because of their source sensitivity are retrievable only in the DO.

--In the Office of Security, the only files which would be designated as "operational files" and thus exempt from search and review are housed within the Office of Security's Records Division. These files contain investigative information on covert sources/assets of the Directorate of Operations (DO) and the Directorate of Science and Technology

(DS&T), i.e., people who are supporting projects specifically designated as covert operational projects by either the DO or the DS&T. Other than the limited files enumerated above, the Director of Security has determined that no other Office of Security files would be eligible for designation as exempt from search and review.

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